



Transfer of Development Rights (TDR)

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TDR Program

QUESTION:

How can we leverage new growth to preserve more open spaces, at little to no cost to the town, while encouraging flexibility and maintaining private property rights?

ANSWER:

Transfer of Development Rights (TDR) Program





TDR Program

What are “Property Rights”

- Air rights
- Water rights
- Subsurface & mineral rights
- Access rights
- Surface rights
- Development rights

Private property rights are protected at the federal and state levels

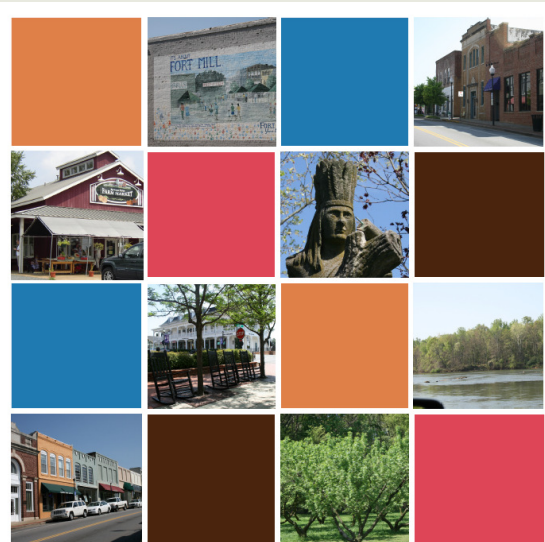
Similar to property itself, property *rights* may be owned, bought and sold





TDR Program

Why TDR's & Why Now?



fort mill comprehensive plan
volume 2
fort mill tomorrow

Land Use Goals, Recommendations & Strategies

Recommendation 4: Promote preservation of open space and important environmental features permanently in the planning area.

Strategy 2: Explore the use of density bonuses, conservation subdivisions, transfer of development rights (TDRs) and other forms of environmental preservation methods.



TDR Program

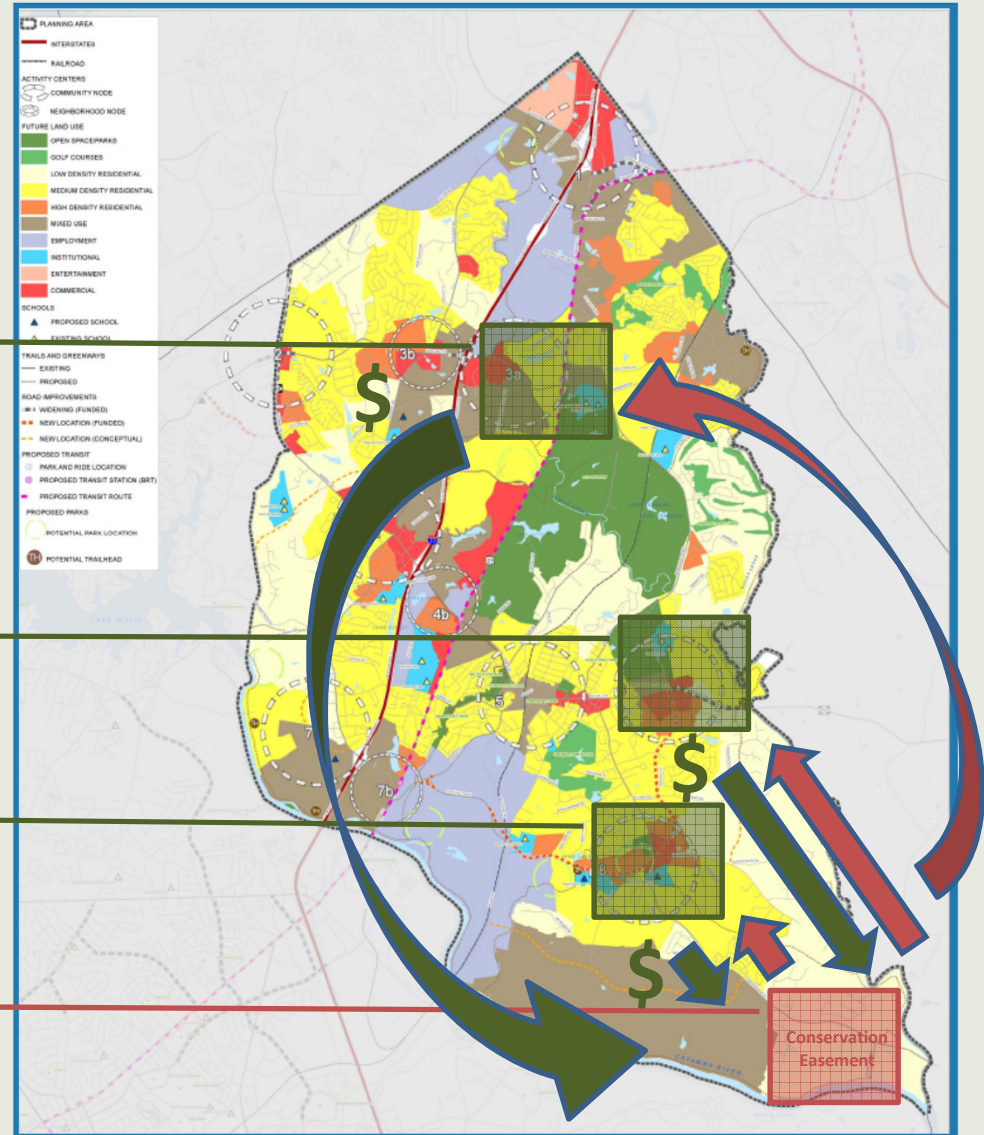
Example

Receiving Property
 75 Acre Property
 3 DUA Allowed
 225 Units Allowed Per zoning
 w/ TDR = 295 Units (+70)

Receiving Property
 40 Acre Property
 3 DUA Allowed
 120 Units Allowed Per zoning
 w/ TDR = 200 Units (+80)

Receiving Property
 50 Acre Property
 3 DUA Allowed
 150 Units Allowed Per zoning
 w/ TDR = 200 Units (+50)

Sending Property
 100 Acre Property
 2 DUA Allowed
 200 Units Allowed Per Zoning
 Rights Available = 200 Units





TDR Program

Pros of a TDR Program

- Market based... Create a “market” for density
- Permanently protects open space with limited public investment
- Allows land owners to generate income from their land without the need to sell and develop it
- Reduces suburban sprawl
- Reduces public infrastructure costs
- Reduces public service costs
- Concentrates density into development “nodes”
- Decreases VMT; encourages pedestrian, biking and other modes of transportation in nodes





TDR Program

Complexities of a TDR Program

- Difficult to administer (program management, enforcing deed restrictions, etc.)
- Programs are voluntary, not mandatory
- Must have willing buyers and sellers
- May want to down-zone certain areas to discourage development or encourage transfers
- May increase the cost of new development
- Must designate “receiving” areas





TDR Program

DISCUSSION

